

**REMARKS**

This amendment responds to the Office Action dated March 1, 2001 in which the Examiner rejected claims 31-42 under 35 U.S.C. § 112, first and second paragraphs, rejected claims 31-32, 34-36 and 38 under 35 U.S.C. § 102(e), rejected claims 33, 37 and 39-42 under 35 U.S.C. § 103 and stated that claims 19-26 are allowed.

As indicated above, claims 31-42 have been amended for stylistic changes. It is respectfully submitted that claims 31-42 particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. It is respectfully submitted that stylistic changes such as changing "a" to "the" are not a proper rejection under 35 U.S.C. § 112, second paragraph. It is respectfully submitted that only objection to the claims should have been made. Furthermore, it is respectfully submitted that by amending "a" to "the", no substantive change have been made to the claims. It is respectfully requested that the Examiner withdraws the rejection to claims 31-42 under 35 U.S.C. § 112, second paragraph.

Claims 31-42 were rejected under 35 U.S.C. § 112, first paragraph. Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 112, first paragraph. The claims and specification have been reviewed in light of the Office Action, and for reasons which will be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue. In particular, Applicants respectfully bring the Examiner's attention to page 18, line 13 through page 22, line 18 of the specification, which describes the operation mode selecting switch and the operation modes as well as other switches and how they interact with the operation modes.

Additionally, Applicants respectfully bring the Examiner's attention to page 45, line 23 through page 46, line 46 for the various reproduction and editing modes. In particular, Applicants respectfully bring the Examiner's attention to page 46, lines 14-24 which describe four reproduction modes (noting that lines 20-24 describe two reproduction modes). It is respectfully submitted that the subject matter is described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 31-42 under 35 U.S.C. § 112, first paragraph.

Claims 31, 35, 39 and 41 claim a photographic apparatus having recording section(s) and a mode selector. The mode selector selects among a plurality of shooting and reproducing modes. One of the reproducing modes includes a mode in which a still picture is reproduced out of a picture recorded as a moving picture on a recording medium (emphasis added).

Through the structure of the claimed invention having a mode selector for selecting among a plurality of shooting and reproducing modes and in particular a reproducing mode in which a still picture is reproduced out of a picture recorded as a moving picture on a recording medium, as claimed in claims 31, 35, 39 and 41, the claimed invention provides a photographing apparatus functioning both as a still camera and a video camera in which entries to a database can be easily retrieved. The prior art does not show, teach or suggest a mode selector for selecting among a plurality of shooting and reproducing modes and in particular a reproducing mode in which a still picture is reproduced out of a picture

recorded as a moving picture on a recording medium as claimed in claims 31, 35, 39 and 41.

Claims 31-32, 34-36 and 38 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Inoue* (U.S. Patent No. 5,710,954).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 102(e). The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Inoue* appears to disclose in Figure 17 a recording unit 125 detachably arranged in the camera as a so-called video movie unit for recording a moving image of an object using a magnetic tape. When a shutter 104 operates to store an image related to an object image in an image memory 111, as shown in Figure 19, a small still image is displayed on the lower left portion of a LCD monitor 112. A sequence when a scene in which a submonitor screen has three screens includes the steps shown in Figure 22. In particular, when a shutter 104 operates to store an image related to an object image in the image memory 111, a display of submonitor under 1 is set off, an image which has been displayed in submonitor screen 2 is displayed in submonitor screen 1, an image which is displayed on submonitor screen 3 is displayed on submonitor 2 and an image which is newly stored in image memory 111 is displayed on submonitor screen 3. (col. 22, line 16 through col. 23, line 2) When the recording unit 125, in which the photographic optical system and image pick-up device of a video movie camera are not arranged, is connected to the camera, a moving image can be recorded on a video tape simultaneously with recording on a silver

salt film. In this sequence, when the power supply of the camera is turned on, the LCD monitor 112 is turned on to monitor a moving image of an object. In this case, when a recording button for recording a moving image is set on, the video tape is fed to start recording. When a moving image having the best composition to be recorded on the film is obtained in recording an object, a release button is fully depressed. In this case, the shutter operates to perform exposure. At this time, the image memory 111 stores an object image at that time. The signal synthesizing unit 124 synthesizes the stored signal with a signal output from a signal processing unit 110 and the synthesized signal is displayed on the LCD monitor 112. A photographer can therefore selectively and immediately display and confirm previously photographed screens by an arbitrary display method. (col. 23, line 63 through col. 24, line 38)

Thus, *Inoue* merely discloses that the image memory 111 stores an object image at the time the shutter operates to perform exposure of the silver salt film (column 24, lines 12-20). Nothing in *Inoue* shows, teaches or suggests a reproduction mode in which a still picture is reproduced from a picture recorded as a moving picture on a recording medium as claimed in claims 31, 35 (and 39, 41). *Inoue* merely discloses that the image memory 111 stores an object image at the time a shutter operates to perform exposure of a silver salt film.

Additionally, *Inoue* merely discloses a signal synthesizing unit 124 which synthesizes the stored signal in memory 111 with a signal output from a signal processing unit 110 (i.e. moving image) and the synthesized signal is displayed on the LCD monitor 112 (col. 24, lines 16-20). Nothing in *Inoue* shows, teaches or suggests a reproducing

mode in which the still picture is reproduced from the picture recorded as the moving picture on the recording medium as claimed in claims 31, 35 (and 39, 41). Rather, *Inoue* teaches away from the claimed invention and merely discloses that the subscreen display on the monitor 112 is from the image stored in the image memory 111 which is synthesized with the current output signal (i.e. moving image) from the signal processing image 110 which is only displayed on monitor 112. In other words, the subscreen monitor in *Inoue* is the still image from the image memory 111 and is not based upon a still picture recorded as the moving picture on the recording medium of the recording unit 125.

Finally, nothing in *Inoue* shows, teaches or suggests a mode selector for selecting among a plurality of shooting and reproducing modes as claimed in claims 31, 35 (and 39, 41). *Inoue* merely discloses a winding mode input unit 126 which switches between single/continuous modes for film feeding or which uses a subscreen monitor on the monitor 112.

Since nothing in *Inoue* shows, teaches or suggests a) a reproduction mode in which a still picture is reproduced out of a picture recorded as a moving picture on a recording medium or b) a mode selector for selecting among a plurality of shooting and reproducing modes as claimed in claims 31 and 35, it is respectfully requested that the Examiner withdraws the rejection to claims 31 and 35 under 35 U.S.C. § 102(e).

Claims 32, 34, 36 and 38 depend from claims 31 and 35 and recite additional features. It is respectfully submitted that claims 32, 34, 36 and 38 would not have been anticipated by *Inoue* within the meaning of 35 U.S.C. § 102(e) at least for the reasons as

set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 32, 34, 36 and 38 under 35 U.S.C. § 102(e).

Claims 33, 37 and 39-42 were rejected under 35 U.S.C. § 103 as being unpatentable over *Inoue* in view of *Itoh et al.* (U.S. Patent No. 5,528,433).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue.

As indicated above, nothing in *Inoue* shows, teaches or suggests a) a reproduction mode in which a still picture is reproduced out of a picture recorded as a moving picture on a recording medium as claimed in claims 39 and 41 or b) a mode selector for selecting from among a plurality of shooting and reproducing modes as claimed in claims 39 and 41.

*Itoh et al.* appears to disclose an aspect ratio change circuit 18 which changes the aspect ratio from 16:9 to 4:3. (col. 3, lines 32-33) A monitor output of the video signal selected by the change-over switch 4 is automatically changed-over between a wide signal form of 16:9 and a normal signal form of 4:3 in accordance with whether the TV set 21 is a wide TV or a normal or conventional TV. The automatic change-over is effected in such a way that the aspect ratio change circuit 18 and the change-over switch 20 are controlled by the output control circuit 19 which is supplied with a wide TV identification signal 85 sent from the TV set 21 and the output signal 83 of a mode discrimination circuit 16. (col. 4, lines 46-59)

Thus, *Itoh et al.* merely discloses changing the aspect ratio based upon whether a wide or normal TV is used. Nothing in *Itoh et al.* shows, teaches or suggests an aspect ratio selector for varying an aspect ratio of a picture in any of the modes in which a moving picture is recorded as claimed in claims 39 and 41. Rather, *Itoh et al.* merely discloses changing the aspect ratio depending upon whether a wide or conventional TV is used.

Since nothing in *Inoue* or *Itoh et al.* show, teach or suggest a) a reproduction mode in which a still picture is reproduced out of a picture recorded as a moving picture on a recording medium, b) a mode selector for selecting among a plurality of shooting and reproducing modes or c) an aspect ratio selector for varying an aspect ratio of a picture in any of the modes in which a moving picture is recorded as claimed in claims 39 and 41, it is respectfully requested that the Examiner withdraws the rejection to claims 39 and 41 under 35 U.S.C. § 103.

Claims 33, 37, 40 and 42 recite additional features. It is respectfully submitted that claims 33, 37, 40 and 42 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Inoue* and *Itoh et al.* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 33, 37, 40 and 42 under 35 U.S.C. § 103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

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**Marked-up Claims 31-42**

31. (Amended) A photographing apparatus comprising:

a first recording section for recording, on a first recording medium, mainly still pictures together with information relating to the still pictures thus recorded;

a second recording section capable of recording, on a second recording medium, moving pictures and also pictures to be reproduced as still pictures; and

a mode selector for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which [a] the still picture and information relating thereto are recorded on the first recording medium, a mode in which [a] the moving picture is recorded on the second recording medium, and a mode in which [a] the picture to be reproduced as [a] the still picture is recorded on the second recording medium, said reproducing modes including a mode in which information relating to [a] the still picture recorded on the first recording medium is displayed, a mode in which [a] the moving picture recorded on the second recording medium is reproduced, a mode in which [a] the picture recorded on the second recording medium so as to be reproduced as [a] the still picture is reproduced, and a mode in which [a] the still picture is reproduced out of [a] the picture recorded as [a] the moving picture on the second recording medium.

32. (Amended) A photographing apparatus as claimed in claim 31,

wherein the information recorded on the first recording medium is information used when [a] the still picture recorded on the first recording medium is printed.

**Marked-up Claims 31-42**

33. (Amended) A photographing apparatus as claimed in claim 31,  
wherein, in any of the modes in which [a] the moving picture is recorded, an aspect  
ratio of the picture can be varied.

34. (Amended) A photographing apparatus as claimed in claim 31, further  
comprising:

a display for displaying [a] the still picture, [a] the moving picture, or information  
in any of the reproducing modes.

35. (Amended) A photographing apparatus comprising:  
a first recording section for recording, on a first recording medium, mainly still  
pictures together with information relating to the still pictures thus recorded;  
a second recording section capable of recording, on a second recording medium,  
moving pictures and still pictures; and  
a mode selector for selecting among a plurality of shooting and reproducing modes,  
said shooting modes including a mode in which [a] the still picture and information relating  
thereto are recorded on the first recording medium, a mode in which [a] the moving picture  
is recorded on the second recording medium, and a mode in which [a] the still picture is  
recorded on the second recording medium, said reproducing modes including a mode in  
which information relating to [a] the still picture recorded on the first recording medium is  
displayed, a mode in which [a] the moving picture recorded on the second recording

**Marked-up Claims 31-42**

medium is reproduced, a mode in which [a] the still picture recorded on the second recording medium is reproduced, and a mode in which [a] the still picture is reproduced out of [a] the picture recorded as [a] the moving picture on the second recording medium.

36. (Amended) A photographing apparatus as claimed in claim 35,  
wherein the information recorded on the first recording medium is information used when [a] the still picture recorded on the first recording medium is printed.

37. (Amended) A photographing apparatus as claimed in claim 35,  
wherein, in any of the modes in which [a] the moving picture is recorded, an aspect ratio of the picture can be varied.

38. (Amended) A photographing apparatus as claimed in claim 35, further comprising:

a display for displaying [a] the still picture, [a] the moving picture, or information in any of the reproducing modes.

39. (Amended) A photographic apparatus comprising:  
a recording section capable of recording, on a recording medium, moving pictures and also pictures to be reproduced as still pictures;

**Marked-up Claims 31-42**

a mode selector for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which [a] the moving picture is recorded on the recording medium and a mode in which [a] the picture to be reproduced as [a] the still picture is recorded on the recording medium, said reproducing modes include a mode in which [a] the moving picture recorded on the recording medium is reproduced, a mode in which [a] the picture recorded on the recording medium so as to be reproduced as [a] the still picture is reproduced, and a mode in which [a] the still picture is reproduced out of [a] the picture recorded as [a] the moving picture on the recording medium; and

an aspect ratio selector for varying, in any of the modes in which [a] the moving picture is recorded, an aspect ratio of the picture.

40. (Amended) A photographing apparatus as claimed in claim 39, further comprising:

a display for displaying [a] the still picture or [a] the moving picture in any of the reproducing modes.

41. (Amended) A photographic apparatus comprising:

a recording section capable of recording, on a recording medium, moving pictures and still pictures;

a mode selector for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which [a] the moving picture is recorded on the

**Marked-up Claims 31-42**

recording medium and a mode in which [a] the still picture is recorded on the recording medium, said reproducing modes include a mode in which [a] the moving picture recorded on the recording medium is reproduced, a mode in which [a] the still picture recorded on the recording medium is reproduced, and a mode in which [a] the still picture is reproduced out of [a] the picture recorded as [a] the moving picture on the recording medium; and

an aspect ratio selector for varying, in any of the modes in which [a] the moving picture is recorded, an aspect ratio of the picture.

42. (Amended) A photographing apparatus as claimed in claim 41, further comprising:

a display for displaying [a] the still picture or [a] the moving picture in any of the reproducing modes.